

United States District Court for the Northern District of West Virginia

Diana Mey v. Environmental Safety International, Inc. et al. Case no. 5:18-cv-166

**PRO SE ANSWER OF DEFENDANT XXXXXXXXXXXXX**

Paragraph 1. I don't have enough information to admit or deny, so denied.  
Paragraph 2. I don't have enough information to admit or deny, so denied.  
Paragraph 3. Deny because XXXXXXXX does not live at this address.  
Paragraph 4. I don't have enough information to admit or deny, so denied.  
Paragraph 5. I don't have enough information to admit or deny, so denied.  
Paragraph 6. I don't have enough information to admit or deny, so denied.  
Paragraph 6. I don't have enough information to admit or deny, so denied.  
Paragraph 8. I don't have enough information to admit or deny, so denied.  
Paragraph 9. I don't have enough information to admit or deny, so denied.  
Paragraph 10. I don't have enough information to admit or deny, so denied.  
Paragraph 11. I don't have enough information to admit or deny, so denied.  
Paragraph 12. Deny, plaintiff gave me his name & cell # for information.  
Paragraph 13. Deny because there is a Do Not Call process in place.  
Paragraph 14. Deny because no \$30,000 per month claim was made.  
Paragraph 15. Denied.  
Paragraph 16. I don't have enough information to admit or deny, so denied.  
Paragraph 17. I don't have enough information to admit or deny, so denied.  
Paragraph 18. Deny because our products are digital training courses.  
Paragraph 19. I don't have enough information to admit or deny, so denied.  
Paragraph 20. I don't have enough information to admit or deny, so denied.  
Paragraph 21. I don't have enough information to admit or deny, so denied.  
Paragraph 22. I don't have enough information to admit or deny, so denied.  
Paragraph 23. I don't have enough information to admit or deny, so denied.  
Paragraph 24. I don't have enough information to admit or deny, so denied.  
Paragraph 25. I don't have enough information to admit or deny, so denied.  
Paragraph 26. I don't have enough information to admit or deny, so denied.  
Paragraph 27. I don't have enough information to admit or deny, so denied.  
Paragraph 28. I don't have enough information to admit or deny, so denied.  
Paragraph 29. I don't have enough information to admit or deny, so denied.  
Paragraph 30. I don't have enough information to admit or deny, so denied.  
Paragraph 31. I don't have enough information to admit or deny, so denied.  
Paragraph 32. I don't have enough information to admit or deny, so denied.  
Paragraph 33. I don't have enough information to admit or deny, so denied.  
Paragraph 34. Denied.  
Paragraph 35. Denied.  
Paragraph 36. Denied.  
Paragraph 37. Denied.

**FILED**

**OCT 31 2018**

U.S. DISTRICT COURT-WVND  
CLARKSBURG, WV 26301

Affirmative defenses:

1. Plaintiff failed to serve me properly and so this court has no jurisdiction.
2. Bad faith and unclean hands – Plaintiff is trying to make a living by suing telemarketers whether there is any basis or not.
3. Safe Harbor. I may qualify for the DNC and other safe harbor provisions in the TCPA.
4. Plaintiff has no actual damages (only statutory at best) and therefore this court should have no jurisdiction.
5. Substantial compliance. Even if there were any errors, we substantially complied with the TCPA.
6. Plaintiff is a repeat, vexatious litigator and should be barred from bringing any further civil cases without special court permission.
7. Plaintiff may have consented to the calls or may have acquiesced to the same after the fact.

Signed: Joseph M. Carney Date: 10/29/18  
President  
EPI

Certificate of Service

I certify that I mailed a copy of this Answer to all parties of record in this case on 10/30/18.

Signed: Joseph M. Carney